

_____Published in the Wichita Eagle, November 5, 2004

ORDINANCE NO. 46-299

AN ORDINANCE LEVYING ASSESSMENTS ON LOTS, PIECES AND PARCELS OF LAND IN THE CITY OF WICHITA, KANSAS, FOR THE PURPOSE OF PAYING A PORTION OF THE COST OF CONSTRUCTING **LIFT STATION & FORCE MAIN FOR MAIN 21, SOUTHWEST INTERCEPTOR SEWER, TO SERVE GRAY'S 5TH ADDITION & UNPLATTED TRACT "B"**, East of Hoover, North of 47th Street South (468-83428/480-637)

WHEREAS, pursuant to the proceedings regularly had according to law, contracts have been let for the following improvement in the City of Wichita, Kansas: constructing **LIFT STATION & FORCE MAIN FOR MAIN 21, SOUTHWEST INTERCEPTOR SEWER, TO SERVE GRAY'S 5TH ADDITION & UNPLATTED TRACT "B"** and such contracts have been duly performed, and

WHEREAS, the Governing Body has determined that the total cost of such improvement is **\$642,284.00** and that **\$290,954.65** be assessed against the improvement district and **\$351,329.35** be paid by the Sewer Utility Fund, and

WHEREAS, said Governing Body has, after due notice, met and determined the amount of such special assessments.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

SECTION 1. Special assessments to pay the cost of said improvement as authorized by **Resolution No. R-02-415, adopted September 17, 2002 and published September 21, 2002, corrected & republished October 10, 2002** be and the same are hereby levied against the several lots, pieces and parcels of land liable for special assessment for said improvement as follows:

1

LEGAL OF PARCEL IN BENEFIT DISTRICT	ASSESSMENT
SW1/4 EXC 22.87A FLDWY ROW A-30410 & EXC N 466.69 FT W 560.03 FT & EXC S 55 FT E 30 FT W 2104.06 FT & EXC GRAYS 5TH ADD & EXC RDS SEC 14-28-1W	188,801.29
LOT 1	912.08

BLOCK A GRAYS 5TH ADD.	
LOT 2 BLOCK A GRAYS 5TH ADD.	912.08
LOT 3 BLOCK A GRAYS 5TH ADD.	912.08
LOT 4 BLOCK A GRAYS 5TH ADD.	912.08
LOT 5 BLOCK A GRAYS 5TH ADD.	912.08
LOT 6 BLOCK A GRAYS 5TH ADD.	912.08
LOT 7 BLOCK A GRAYS 5TH ADD.	912.08
LOT 8 BLOCK A GRAYS 5TH ADD.	912.08
LOT 9 BLOCK A GRAYS 5TH ADD.	912.08
LOT 10 BLOCK A GRAYS 5TH ADD.	912.08
LOT 11 BLOCK A GRAYS 5TH ADD.	912.08
LOT 12 BLOCK A GRAYS 5TH ADD.	912.08

LOT 13 BLOCK A GRAYS 5TH ADD.	912.08
LOT 14 BLOCK A GRAYS 5TH ADD.	912.08
LOT 15 BLOCK A GRAYS 5TH ADD.	912.08
LOT 16 BLOCK A GRAYS 5TH ADD.	912.08
LOT 17 BLOCK A GRAYS 5TH ADD.	912.08
LOT 18 BLOCK A GRAYS 5TH ADD.	912.08
LOT 19 BLOCK A GRAYS 5TH ADD.	912.08
LOT 20 BLOCK A GRAYS 5TH ADD.	912.08
LOT 21 BLOCK A GRAYS 5TH ADD.	912.08
LOT 22 BLOCK A GRAYS 5TH ADD.	912.08
LOT 23 BLOCK A GRAYS 5TH ADD.	912.08

LOT 24 BLOCK A GRAYS 5TH ADD.	912.08
LOT 25 BLOCK A GRAYS 5TH ADD.	912.08
LOT 26 BLOCK A GRAYS 5TH ADD.	912.08
LOT 27 BLOCK A GRAYS 5TH ADD.	912.08
LOT 28 BLOCK A GRAYS 5TH ADD.	912.08
LOT 29 BLOCK A GRAYS 5TH ADD.	912.08
LOT 30 BLOCK A GRAYS 5TH ADD.	912.08
LOT 31 BLOCK A GRAYS 5TH ADD.	912.08
LOT 32 BLOCK A GRAYS 5TH ADD.	912.08
LOT 33 BLOCK A GRAYS 5TH ADD.	912.08
LOT 34 BLOCK A GRAYS 5TH ADD.	912.08
LOT 35 BLOCK A	912.08

GRAYS 5TH ADD.	
LOT 36 BLOCK A GRAYS 5TH ADD.	912.08
LOT 37 BLOCK A GRAYS 5TH ADD.	912.08
LOT 38 BLOCK A GRAYS 5TH ADD.	912.08
LOT 39 BLOCK A GRAYS 5TH ADD.	912.08
LOT 40 BLOCK A GRAYS 5TH ADD.	912.08
LOT 41 BLOCK A GRAYS 5TH ADD.	912.08
LOT 42 BLOCK A GRAYS 5TH ADD.	912.08
LOT 1 BLOCK B GRAYS 5TH ADD.	912.08
LOT 2 BLOCK B GRAYS 5TH ADD.	912.08
LOT 3 BLOCK B GRAYS 5TH ADD.	912.08
LOT 4 BLOCK B GRAYS 5TH ADD.	912.08

LOT 5 BLOCK B GRAYS 5TH ADD.	912.08
LOT 6 BLOCK B GRAYS 5TH ADD.	912.08
LOT 7 BLOCK B GRAYS 5TH ADD.	912.08
LOT 8 BLOCK B GRAYS 5TH ADD.	912.08
LOT 9 BLOCK B GRAYS 5TH ADD.	912.08
LOT 10 BLOCK B GRAYS 5TH ADD.	912.08
LOT 11 BLOCK B GRAYS 5TH ADD.	912.08
LOT 12 BLOCK B GRAYS 5TH ADD.	912.08
LOT 13 BLOCK B GRAYS 5TH ADD.	912.08
LOT 14 BLOCK B GRAYS 5TH ADD.	912.08
LOT 15 BLOCK B GRAYS 5TH ADD.	912.08
LOT 16	912.08

BLOCK B GRAYS 5TH ADD.	
LOT 1 BLOCK C GRAYS 5TH ADD.	912.08
LOT 2 BLOCK C GRAYS 5TH ADD.	912.08
LOT 3 BLOCK C GRAYS 5TH ADD.	912.08
LOT 4 BLOCK C GRAYS 5TH ADD.	912.08
LOT 5 BLOCK C GRAYS 5TH ADD.	912.08
LOT 6 BLOCK C GRAYS 5TH ADD.	912.08
LOT 7 BLOCK C GRAYS 5TH ADD.	912.08
LOT 8 BLOCK C GRAYS 5TH ADD.	912.08
LOT 9 BLOCK C GRAYS 5TH ADD.	912.08
LOT 10 BLOCK C GRAYS 5TH ADD.	912.08
LOT 11 BLOCK C GRAYS 5TH ADD.	912.08

LOT 12 BLOCK C GRAYS 5TH ADD.	912.08
LOT 13 BLOCK C GRAYS 5TH ADD.	912.08
LOT 14 BLOCK C GRAYS 5TH ADD.	912.08
LOT 15 BLOCK C GRAYS 5TH ADD.	912.08
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LOT 18 BLOCK C GRAYS 5TH ADD.	912.08
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LOT 22 BLOCK C GRAYS 5TH ADD.	912.08

LOT 23 BLOCK C GRAYS 5TH ADD.	912.08
LOT 24 BLOCK C GRAYS 5TH ADD.	912.08
LOT 25 BLOCK C GRAYS 5TH ADD.	912.08
LOT 26 BLOCK C GRAYS 5TH ADD.	912.08
LOT 27 BLOCK C GRAYS 5TH ADD.	912.08
LOT 28 BLOCK C GRAYS 5TH ADD.	912.08
LOT 29 BLOCK C GRAYS 5TH ADD.	912.08
LOT 30 BLOCK C GRAYS 5TH ADD.	912.08
LOT 1 BLOCK D GRAYS 5TH ADD.	912.08
LOT 2 BLOCK D GRAYS 5TH ADD.	912.08
LOT 3 BLOCK D GRAYS 5TH ADD.	912.08
LOT 4 BLOCK D	912.08

GRAYS 5TH ADD.	
LOT 5	912.08
BLOCK D	
GRAYS 5TH ADD.	
LOT 6	912.08
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GRAYS 5TH ADD.	
LOT 7	912.08
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GRAYS 5TH ADD.	
LOT 8	912.08
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GRAYS 5TH ADD.	
LOT 9	912.08
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LOT 10	912.08
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LOT 11	912.08
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LOT 12	912.08
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LOT 13	912.08
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LOT 14	912.08
BLOCK D	
GRAYS 5TH ADD.	
LOT 15	912.08
BLOCK D	
GRAYS 5TH ADD.	

LOT 16 BLOCK D GRAYS 5TH ADD.	912.08
LOT 17 BLOCK D GRAYS 5TH ADD.	912.08
LOT 18 BLOCK D GRAYS 5TH ADD.	912.08
LOT 19 BLOCK D GRAYS 5TH ADD.	912.08
LOT 20 BLOCK D GRAYS 5TH ADD.	912.08
LOT 21 BLOCK D GRAYS 5TH ADD.	912.08
LOT 22 BLOCK D GRAYS 5TH ADD.	912.08
LOT 23 BLOCK D GRAYS 5TH ADD.	912.08
LOT 24 BLOCK D GRAYS 5TH ADD.	912.48

SECTION 2. The amounts so levied and assessed as set forth in the foregoing Section 1 shall be due and payable from and after the date hereof at the Debt Management Section of the Finance Department. The owners of the properties will be given a period until 5:00 o'clock p.m. on **December 6, 2004**, during which the special assessments may be paid and the lien against the property for which the special assessment is paid shall thereupon be discharged and satisfied.

SECTION 3. That payment of said assessments may indefinitely be deferred

against those property owners eligible for such deferral as provided in City of Wichita Ordinance No. 43-977.

SECTION 4. For any portion of the assessments which are not paid by the above specified date and time, general obligation bonds of the City, payable in installments over a period of not to exceed fifteen (15) years, will be issued as provided by K.S.A. 12-6a14 (c), and the principal amount of the unpaid assessments, together with interest on the unpaid principal balance thereof at a rate to be determined by the Governing Body (such rate not to exceed the maximum rate allowed by K.S.A. 10-1009, as amended) will be certified to the County Clerk of Sedgwick County, Kansas, for the aforesaid number of years, and will be levied against the property liable therefor in the same form and manner as, and will be collected at such time as is customary for, the levying and collecting of ad valorem property taxes, and the taxes so collected will be used for the purpose of paying the principal of and the interest on such general obligation bonds as they mature and become due. The first such levy shall be made for the year **2004**.

SECTION 5. This ordinance shall take effect and be in force as of and on **November 5, 2004** after its passage and publication once in the official city paper.

ADOPTED at Wichita, Kansas on **November 2, 2004**.

Carlos Mayans, Mayor

ATTEST:

Karen Sublett, City Clerk
(seal)

APPROVED AS TO FORM:

Gary Rebenstorf, Director of Law